

TWENTY-SEVENTH DAY

MONDAY, MARCH 3, 1997

PROCEEDINGS

The Senate met at 11:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, Whitmire, Zaffirini.

Absent-excused: West.

The President announced that a quorum of the Senate was present.

Dr. Stephen Davis, Pastor, First Baptist Church, Garland, offered the invocation as follows:

Our heavenly Father, grant that we may remember to be "poor in spirit," so that we depend on "the Giver of every good gift" for wisdom; grant that we may "mourn" the effects of sin and its consequences on our state, so that we may be courageous to stand for what is right and decent; grant that we may be "meek," so that we may remember that we are not here to be served, but to serve; grant that we may "hunger and thirst for righteousness," so that we seek Your glory and what is good for all persons; grant that we may be "merciful," so that we may be good listeners, having the ability to hear the pain behind the multitude of complaints from our citizens; grant that we may be "pure in heart," so that our decisions are based on our character and integrity, not selfish ambitions; grant that we may be "peacemakers" who work together to transform our problems, not avoiding them, or applying easy solutions that are either wrong or inadequate; grant that we may know what it is to be "persecuted for righteousness" instead of following what is expedient, which satisfies the immediate without considering the future.

Bless our beloved Texas, bless Governor Bush and his family, bless Lieutenant Governor Bullock and his family, and bless this strategic body in its deliberations. Fill this day with the consciousness of Your presence, that our lives may demonstrate what our lips declare. In the name of Jesus who taught us to "seek first His kingdom and His righteousness." Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 27, 1997, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

On motion of Senator Truan, Senator West was granted leave of absence for today on account of important business.

CO-AUTHORS OF SENATE BILL 82

On motion of Senator Ellis and by unanimous consent, Senators Carona, Lindsay, and Whitmire will be shown as Co-authors of **SB 82**.

CO-AUTHOR OF SENATE BILL 86

On motion of Senator Shapiro and by unanimous consent, Senator Fraser will be shown as Co-author of **SB 86**.

CO-AUTHORS OF SENATE BILL 411

On motion of Senator Nelson and by unanimous consent, Senators Fraser and Harris will be shown as Co-authors of **SB 411**.

CO-AUTHOR OF SENATE BILL 464

On motion of Senator Harris and by unanimous consent, Senator Armbrister will be shown as Co-author of **SB 464**.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

SB 359 by Brown

Relating to the continuation and operation of the Department of Protective and Regulatory Services, the provision of services to children and families, and suits affecting the parent-child relationship; providing penalties.
To Committee on Health and Human Services.

SB 746 by Sibley

Relating to property tax increment financing and property tax abatements.
To Committee on Economic Development.

SB 747 by Sibley

Relating to the administration and financing of certain industrial development corporations.
To Committee on Economic Development.

SB 770 by Moncrief

Relating to the funding of certain peer assistance programs.
To Committee on Finance.

SB 771 by Moncrief

Relating to the licensing of the name, logo, and other artwork of the Texas Commission on the Arts.
To Committee on International Relations, Trade, and Technology.

SB 772 by Armbrister

Relating to eligibility for retirement from the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two.
To Committee on Finance.

SB 773 by Lindsay

Relating to restricting the use of designated lanes of certain highways.
To Committee on State Affairs.

SB 774 by Lindsay

Relating to certain procedures concerning condemnation of property by the Texas Department of Transportation.
To Committee on Jurisprudence.

SB 775 by Nixon

Relating to eligibility for public assistance benefits administered by health and human services agencies.
To Committee on Health and Human Services.

SB 776 by Nixon

Relating to prohibiting the adoption of certain policies by the board of trustees or superintendent of a school district.
To Committee on Education.

SB 777 by Carona

Relating to the authorization of certain deductions from an employee's pay.
To Committee on State Affairs.

SB 778 by West

Relating to safety standards for school buses.
To Committee on Education.

SB 779 by West

Relating to payment of interest to vendors by a state agency.
To Committee on Finance.

SB 780 by Zaffirini

Relating to the use of personal leave by school district employees.
To Committee on Education.

SB 782 by Barrientos, Armbrister, Ellis, Sibley, Zaffirini

Relating to the prepaid higher education tuition program.
To Committee on Finance.

SB 783 by Barrientos, Armbrister, Ellis, Sibley, Zaffirini

Relating to the extension of the full faith and credit of the state to support the Texas tomorrow fund.
To Committee on Finance.

SB 784 by Barrientos

Relating to the Texas Incentive and Productivity Commission.
To Committee on State Affairs.

SB 786 by Madla

Relating to the authority of pharmacists to administer immunizations.
To Committee on Health and Human Services.

SB 787 by Bivins

Relating to the use of digital signatures in communications with public entities.
To Committee on Jurisprudence.

SB 788 by Ellis, Zaffirini

Relating to the filing of annual reports of community benefits plans by nonprofit hospitals.
To Committee on Health and Human Services.

SB 789 by Ellis

Relating to the erection of sound barrier walls along certain parts of Interstate Highway 610 in Houston.
To Committee on State Affairs.

SB 790 by Haywood

Relating to the issuance of revenue bonds by Midwestern State University.
To Committee on Finance.

SB 791 by Harris

Relating to the authority of a juvenile probation department to obtain certain information from a court relating to a child under the department's supervision.
To Committee on Criminal Justice.

SB 858 by Gallegos

Relating to the provision of municipal services and the creation of special municipal districts in areas annexed on or after December 1, 1996, by certain municipalities.
To Committee on Intergovernmental Relations.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
March 3, 1997

**TO THE SENATE OF THE SEVENTY-FIFTH LEGISLATURE,
REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE MEMBERS OF THE BOARD OF TAX PROFESSIONAL
EXAMINERS for terms to expire March 1, 2003:**

FOY MITCHELL, Jr.
3621 Pennsylvania
Plano, Texas 75075

Mr. Mitchell will be replacing Ciro Trevino of Edinburg whose term expired.

LINDA D. JAYNES
110 Santa Rosa Circle
Plainview, Texas 79072

Ms. Jaynes is being reappointed.

TO BE MEMBERS OF THE TEXAS GUARANTEED STUDENT LOAN
CORPORATION BOARD OF DIRECTORS for terms to expire
January 31, 2003:

RUBEN E. ESQUIVEL
1217 Hanna Circle
DeSoto, Texas 75115-3105

Mr. Esquivel will be replacing Teofilo J. Chahin of San Marcos whose
term expired.

W. BRUCE ROBINSON
2028 Glenwood Circle
Corsicana, Texas 75110

Mr. Robinson will be replacing Barbara Reagan of Dallas whose
term expired.

TO BE MEMBERS OF THE PRODUCE RECOVERY FUND BOARD for
terms to expire January 31, 2003:

JOYCE COOK OBST
1543 North FM 907
Alamo, Texas 78516

Ms. Obst is being reappointed.

LY H. NGUYEN
110 Banyan Drive
Lake Jackson, Texas 77566

Ms. Nguyen will be replacing Carmen Jacques of El Paso whose
term expired.

TO BE MEMBERS OF THE REAL ESTATE RESEARCH ADVISORY
COMMITTEE:

Term expires January 31, 2001
ANGELA S. MYRES
5118 Toho Drive
Houston, Texas 77032

Ms. Myres will be filling the unexpired term of Melissa Cigarroa of Laredo
who resigned.

Terms expire January 31, 2003
JOE ADAME
1818 Graham Road
Corpus Christi, Texas 78418

Mr. Adame will be replacing Conrad Bering, Jr., of Houston whose
term expired.

CATHERINE MILLER
1800 Holly Oak
Arlington, Texas 76012

Ms. Miller will be replacing Dr. Donald S. Longworth of Lubbock whose
term expired.

JERRY L. SCHAFFNER
8606 Toledo
Lubbock, Texas 79424

Mr. Schaffner will be replacing Michael Beal of Bryan whose term expired.

Respectfully submitted,

/s/George W. Bush
Governor of Texas

(Senator Truan in Chair)

RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 43, HCR 95**

SENATE RESOLUTION 255

Senator Lucio offered the following resolution:

WHEREAS, On May 25, 1996, in Alice Tully Hall at Lincoln Center, Melba Huber was presented the Flo-Bert Award for a lifetime of achievement in the field of dance; and

WHEREAS, The Texas native is the first dance teacher outside of New York to be selected for this prestigious honor; her remarkable accomplishments over the past 50 years have earned her a unique place in a specialized dance form; and

WHEREAS, Named after Florence Mills and Bert Williams, famous Broadway entertainers of the 1920s, the award was established in 1989 to honor lifetime achievement in improving the art and skill of tap dancing; and

WHEREAS, A resident of McAllen, Melba Huber started her dance studio there in 1958; the successful businesswoman is the owner and president of Melba's Incorporated, which has three dance studios, three gyms, and a retail children's fashion and dance wear store; she plays a major role in Melba's School of Dancing and Gymnastics and teaches advanced dance classes; and

WHEREAS, Melba began dance lessons at the age of five and later attended the Sproule School of Dance in Beaumont; after graduating from Lamar College in 1946, the young artist attended The University of Texas, where she organized her own dance group among the students, the university's first permanent dance team named the Melbarines; and

WHEREAS, The Melbarines danced at sports and city events, with Melba devoting her time to choreographing; as the group's popularity increased, Melba received requests from parents to teach their children at the Texas Federation of Women's Clubs building in Austin; on Saturdays she taught any student who came to Huston-Tillotson College and is recognized as a pioneer in the dance education of the black community in Austin; and

WHEREAS, A lifelong member of the Dance Masters of America, Melba is a former president of the Texas Association Teachers of Dancing; she was a charter member of the original Trans-Texas Federation of Gymnastics in 1972 and is a member of U.S.A. Gymnastics; she has served as regional representative for the International Tap Association and is regional director for Gus Giordano's Jazz Dance World Congress; Melba has been invited to co-chair the tap dance activities of the Jazz Dance World Congress to be held in Wiesbaden, Germany, on August 2, 1997; and

WHEREAS, An inspiration to hundreds of artists nationwide, the renowned dancer is a pioneer in dance education and in artistic gymnastics, having established the first competitive teams in South Texas; as the styles of dance and music have changed, Melba has kept abreast of the latest dance styles and steps; tap dancing was in vogue when she was a student, and she is deeply interested in keeping the art of tap alive; and

WHEREAS, In recent years, Melba has turned her attention to doing serious research on the early history of tap and tap dancers for publication in the journal of the International Tap Association and *Dance and the Arts* magazines, traveling extensively to meet with pioneers in the field and to discover and document the history of tap; and

WHEREAS, An original American art form, tap dancing was created in this country 150 years ago and evolved from movements, steps, and rhythms found in European, African, Caribbean, and Latin countries; it was further enhanced by American jazz; and

WHEREAS, Melba Huber has made significant contributions to raising public appreciation of the art and skill of tap dance and to preserving the history of this truly American dance; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby express its deepest appreciation to Melba Huber for her extraordinary accomplishments and extend best wishes to her in her future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as a token of the high regard of the Texas Senate.

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio, the resolution was adopted by a viva voce vote.

GUEST PRESENTED

Senator Lucio was recognized and introduced to the Senate Melba Huber, Owner and President of Melba's Incorporated, in Hidalgo.

The Senate welcomed its guest.

CAPITOL PHYSICIAN

Senator Ogden was recognized and presented Dr. Robert Stark of Brenham as the "Doctor for the Day."

The Senate welcomed Dr. Stark and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Sibley was recognized and introduced to the Senate former Senator Bob Glasgow and a delegation of citizens from Erath County.

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 262

Senator Ratliff offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to pay tribute to Coach Gene Stallings on the momentous occasion of his retirement; and

WHEREAS, Born Eugene Clifton Stallings, Jr., on March 2, 1935, in Paris, Texas, he is the son of Nell Moye Stallings and Eugene Clifton Stallings, Sr.; Gene Stallings earned All-District honors in football and basketball at Paris High School and was selected for the All-State second team; and

WHEREAS, While attending college, he played football for the famous Paul "Bear" Bryant at Texas A&M University, earned All-Southwest Conference honors, was Tri-Captain of the 1956 squad with Jack Pardee and Lloyd Hale, and won the Southwest Conference title; and

WHEREAS, After being an assistant coach under Bear Bryant from 1958 through 1964, Coach Stallings returned to Texas A&M University as a head coach at the age of 29; and

WHEREAS, He compiled a record of 27-45-1 in seven seasons, won the Southwest Conference Championship in 1967, and closed out the season with seven consecutive wins; and

WHEREAS, Gene Stallings took a job with Coach Tom Landry and the Dallas Cowboys in 1972 and remained on the staff for 14 seasons; and

WHEREAS, Making his first appearance as a head coach of the Saint Louis Cardinals, Coach Stallings joined a team which led the National Football Conference in total defense and ranked fourth overall in the National Football League; and

WHEREAS, The Cardinals moved to Phoenix in 1988, and he accumulated an impressive record in one of the most challenging divisions in the National Football League; he went to the University of Alabama on January 11, 1990, upon the recommendation of Bear Bryant; and

WHEREAS, While at Alabama, Coach Stallings won four Southeastern Conference West titles and the National Championship in 1992; he resigned on November 23, 1996, just after winning an extremely exciting game over Auburn University by a score of 24-23; he had compiled an incredible record of 52-10-1 while at Alabama; and

WHEREAS, As a role model, Gene Stallings is unsurpassed; he is incomparable as a coach, husband, and father; as a man of great character, he has brought hope to countless mentally disabled individuals and their families across our country; he and his wife, Ruth Ann, have devotedly cared for their son, Johnny, who has special needs, for 34 years of growth and development; and

WHEREAS, Mr. and Mrs. Stallings also have four lovely daughters; Anna Lee, Laurie, Jackie, and Martha Kate, and their husbands, Dr. Tim Young, Dr. David Vanderpool, John Chalk, and Keith Gunn, are all graduates of Abilene Christian University; and

WHEREAS, Ruth and Gene Stallings were honored with the National Christian Service Award by Abilene Christian University in 1994, and they have helped establish two institutions, Disability Resources, Incorporated, in

Texas and Rainbow Omega in Alabama to provide comprehensive care for developmentally disabled persons; and

WHEREAS, A program in Alabama, RISE, which provides services for children with disabilities from birth to age five, named their new facility "The Stallings Center"; and

WHEREAS, Widely known for his charitable endeavors, Coach Stallings participates in golf tournaments, speaking tours, and other events which support the mentally retarded and mentally disabled; he was named recipient of the Dallas Father of the Year in 1983; and

WHEREAS, Elected to the Texas A&M Hall of Fame in 1982, in 1992 he was lauded as Coach of the Year by the Pigskin Club of Washington, D.C., the Washington Touchdown Club, the Maxwell Football Club, Kodak, the Associated Press, ABC/Chevrolet, the *Birmingham News*, and the *Nashville Banner*; and

WHEREAS, Named Family of the Year in 1991 by the Tuscaloosa Association of Retarded Citizens, Coach and Mrs. Stallings are excellent examples for people everywhere who need their inspiration and faith in God to persevere; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby wish the best to Coach Gene Stallings as he looks forward to his retirement in Paris, Texas, and extend to him and his family warmest regards for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Coach Stallings as an expression of the greatest esteem of the Texas Senate.

RATLIFF
OGDEN

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Ratliff, the resolution was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Ratliff, joined by Senator Ogden, was recognized and introduced to the Senate Gene and Ruth Ann Stallings and their children and grandchildren.

The Senate welcomed the Stallings family.

(Senator Truan in Chair)

SENATE BILL 78 ON SECOND READING

Senator Ellis moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **SB 78** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended for **SB 78**:

SB 78, Relating to punishment for the offense of arson.

The bill was read second time and was passed to engrossment by a viva voce vote.

(President in Chair)

SENATE BILL 78 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 78** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

SB 78 was read third time and was passed by a viva voce vote.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider the executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given Thursday, February 27, 1997, by Senator Madla.

Senator Madla moved confirmation of the nominees reported Thursday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

Senator Truan requested that the following nominee be severed:

Carol E. Dinkins, Harris County, to be a Member of the Parks and Wildlife Commission.

The request was granted.

NOMINEES CONFIRMED

The following nominees, not severed and reported Thursday, February 27, 1997, by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

Commissioner of Insurance: ELTON BOMER, Travis County.

Members, Parks and Wildlife Commission: ERNEST ANGELO, Jr., Midland County; JOHN AVILA, Jr., Tarrant County.

Public Counsel for the Office of Public Insurance Counsel: RODERICK A. "ROD" BORDELON, Jr., Travis County.

Counsellor of the Office of Public Utility Counsel: SUZI RAY McCLELLAN, Travis County.

Members, Texas Commission on the Arts: MALOUF ABRAHAM, Jr., M.D., Hemphill County; DORIS ALEXANDER, Randall County; ANNE LAMKIN KINDER, Harris County; ROBERT R. LENDE, Bexar County; MARY ANNE McCLOUD, Eastland County; ALYN BROWN MORTON, El Paso County; IDELLE G. RABIN, Dallas County; KATHLEEN BIRKNER STEVENS, Tarrant County; CONSTANCE M. "CONNIE" WARE, Harrison County.

Members, Battleship "Texas" Advisory Board: CHARLES A. ALCORN, Harris County; CAROL G. CALVERT, Ellis County; CARTER CASTEEL, Comal County; THOMAS J. PERICH, Fort Bend County; QUINTON ROGERS, Harrison County.

Members, Family Practice Residency Advisory Committee: LORETTA BANOWSKY, Bexar County; LOURDES MATIANA CUELLAR, R.Ph., Harris County.

Members, State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments: MAX STANLEY CHARTRAND, Ph.D., Cooke County; ROBERT KOMORN, M.D., Harris County; CARLOS T. OLIVEIRA, Webb County.

Member, Texas Incentive and Productivity Commission: SHERRY LAINE PHELPS, Denton County.

Judge of the 230th Judicial District Court, Harris County: BELINDA JOY HILL, Harris County.

Members, Texas State Board of Examiners of Marriage and Family Therapists: ANNA BETH BENNINGFIELD, Ph.D., Dallas County; ELLEN HARRISON, El Paso County; GEORGE P. PULLIAM, Galveston County.

Member, Texas National Guard Armory Board: MICHAEL G. WHITE, El Paso County.

Member, Texas National Research Laboratory Commission: ROLF R. HABERECHT, Dallas County.

Members, Texas Board of Occupational Therapy Examiners: GWENDOLYN L. R. PARKER, Ector County; JEAN E. POLICHINO, Harris County; CHARLES PAUL TURCO, Sr., Ph.D., Jefferson County.

Members, Texas State Board of Examiners of Perfusionists: H. B. BELL, Ed.D., Dallas County; VINCENT R. CONTI, M.D., Galveston County; JOSE R. YBARRA, Bexar County.

Member, Executive Council of Physical Therapy and Occupational Therapy Examiners: MARTHA RODRIGUEZ, Bexar County.

Members, Texas Board of Physical Therapy Examiners: MARK GEORGE COWART, Ector County; SHEILA S. FLANNERY, Rockwall County; SUSAN K. TRIPPLEHORN, Gray County.

Member, School Land Board: C. LOUIS RENAUD, Midland County.

Members, State Seed and Plant Board: AUBREY JAMES ALLISON, Ph.D., Swisher County; DICK LINDSEY AULD, Ph.D., Lubbock County; W. DAVID WORRALL, Ph.D., Wilbarger County.

(Senator Harris in Chair)

(President in Chair)

NOMINEE CONFIRMED

Senator Madla moved that the following severed nominee be confirmed:

Member, Parks and Wildlife Commission: CAROL E. DINKINS, Harris County.

The President recognized Senator Truan to speak on the severed nominee.

Question—Shall the nominee be confirmed?

The nominee was confirmed by the following vote: Yeas 27, Nays 3.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Luna, Truan.

Absent-excused: West.

SENATE BILL 160 ON SECOND READING

Senator Brown moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **SB 160** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended for **SB 160**:

SB 160, Relating to prosecution of the offense of tampering with or fabricating physical evidence; creating an offense.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 160 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 160** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

SB 160 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 474 ON SECOND READING**

Senator Ogden moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **CSSB 474** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended for **CSSB 474**:

CSSB 474, Relating to the payment of resident tuition and fees at state institutions of higher education by children and spouses of certain military personnel and by certain former military personnel and their children and spouses.

The bill was read second time.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 474** as follows:

(1) On page 1, line 17, between "or" and "child" insert the word "dependent".

(2) On page 1, line 18, between "United States" and "is" insert the words ", not assigned to duty in Texas but who has previously resided in Texas for a twelve-month period,"

(3) On page 1, line 29, between "the" and "year" insert the word "entire".

(4) On page 1, line 33, between "the" and "year" insert the word "entire".

(5) On page 1, line 38, between "the" and "year" insert the word "entire".

(6) On page 1, line 45, between "or" and "child" insert the word "dependent".

The amendment was read and was adopted by a viva voce vote.

CSSB 474 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 474 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 474** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: West.

CSSB 474 was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 886 by Ratliff

Relating to making emergency appropriations.

To Committee on Finance.

MEMORIAL RESOLUTION**SR 269** - by Luna: In memory of Trinidad Alatorre Orozco of San Antonio.**WELCOME AND CONGRATULATORY RESOLUTIONS****SR 261** - by Whitmire: Congratulating Dr. Arthur C. Beall, Jr., of Houston.**SR 263** - by Shapleigh: Congratulating Wendy McCuiston of El Paso.**SR 264** - by Shapleigh: Congratulating the Eastwood High School Student Council in El Paso.**SR 265** - by Shapleigh: Congratulating Donna L. Kvapil of El Paso.**SR 266** - by Shapleigh: Congratulating Faith Valdes of El Paso.**SR 268** - by Cain: Welcoming members of the 1996-1997 Leadership Rockwall Student Body to the Capitol.**ADJOURNMENT**

On motion of Senator Truan, the Senate at 1:16 p.m. adjourned, in memory of Homer Olsen, until 11:30 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

March 3, 1997INTERGOVERNMENTAL RELATIONS — **CSSB 527, CSSB 601**HEALTH AND HUMAN SERVICES — **CSSB 115, CSSB 116, CSSB 273**INTERGOVERNMENTAL RELATIONS — **CSSB 252**ECONOMIC DEVELOPMENT — **CSSB 54, CSSB 386**HEALTH AND HUMAN SERVICES — **CSSB 162**STATE AFFAIRS — **CSSB 343**FINANCE — **SB 492**ECONOMIC DEVELOPMENT — **CSSB 382, CSSB 383, CSSB 384, CSSB 385, CSSB 387, CSSB 585**EDUCATION — **CSSB 139, CSSB 135, CSSB 132**

In Memory**of****Homer Olsen**

Senator Barrientos offered the following resolution:

(Senate Resolution 189)

WHEREAS, The Senate of the State of Texas joins the citizens of Austin in mourning the loss of Homer Olsen, who died February 9, 1997, at the age of 88; and

WHEREAS, Homer Olsen graduated from Austin High School and attended The University of Texas at Austin; and

WHEREAS, Mr. Olsen was dedicated to his work as a journalist for 47 years; he began working in 1928 at the *Austin Statesman*, which later merged with the *Austin American* to form the *Austin American-Statesman*; he served as a copy editor, editorial page editor, and sports editor before retiring in 1975; and

WHEREAS, He was well known for his columns on the history of the City of Austin and for his ability to capture the flavor of the past and of the colorful lives of the city's early residents; and

WHEREAS, During his career, he took breaks from the *Statesman* to work as a press secretary for James Allred and to work for The Associated Press in Kansas City, the *Wichita Falls Record News*, and the *Dallas Morning News*; and

WHEREAS, An exemplary and distinguished gentleman, Homer Olsen was respected in the community for his many accomplishments and was beloved by many; and

WHEREAS, A man of integrity and generosity, he will long be remembered for his engaging personality, warmth, and wisdom; and

WHEREAS, A devout Christian, Homer Olsen was a member of Northwest Hills United Methodist Church; and

WHEREAS, Homer Olsen was a devoted husband, father, and grandfather, and he leaves behind memories that will be treasured forever by his family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby extend sincere condolences to the bereaved family of Homer Olsen: his wife, Florence Olsen; his daughter, Marilyn Potvin; his son, Lawrence Olsen; and his 10 grandchildren; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Homer Olsen.

The resolution was again read.

The resolution was previously adopted Monday, February 17, 1997. The names of Lieutenant Governor and the Senators were added to the resolution as signers thereof.

Senator Barrientos was recognized and introduced to the Senate Florence Olsen and her son Lawrence.

The Senate welcomed Mrs. Olsen and her son and extended its sympathy.